

EXHIBIT B

Cazares, Steve

From: Coopersmith, Jeff
Sent: Wednesday, April 17, 2019 10:10 AM
To: Cazares, Steve; Gorton, Kelly
Subject: FW: SEC v. Balwani/FDA and CMS motions

I will be in LA and on my way to the airport but could probably call in at around 11:30 am. Does that work for you as well?

From: Falk, Rebecca (USACAN) <Rebecca.Falk@usdoj.gov>
Sent: Wednesday, April 17, 2019 9:53 AM
To: Coopersmith, Jeff <JeffCoopersmith@dwt.com>
Cc: Cazares, Steve <SteveCazares@dwt.com>; Gorton, Kelly <KellyGorton@dwt.com>
Subject: RE: SEC v. Balwani/FDA and CMS motions

[EXTERNAL]

Jeff –

I'm available Wednesday, April 24 from 10-noon if there is a time in that window that works for you.

Best regards,
Rebecca A. Falk
Assistant United States Attorney
United States Attorney's Office
Northern District of California
450 Golden Gate Avenue, 9th Floor
San Francisco, California, 94102
T: 415-436-7022
F: 415-436-6748

From: Coopersmith, Jeff <JeffCoopersmith@dwt.com>
Sent: Tuesday, April 16, 2019 5:02 PM
To: Falk, Rebecca (USACAN) <rfalk@usa.doj.gov>
Cc: Cazares, Steve <SteveCazares@dwt.com>; Gorton, Kelly <KellyGorton@dwt.com>
Subject: RE: SEC v. Balwani/FDA and CMS motions

Rebecca, in reviewing the government's portions of these joint statements, I have a few questions to help frame the dispute for the court or perhaps narrow the disputes. Can we set up a call? Thanks.

Best,



Jeffrey B. Coopersmith | Partner
920 Fifth Avenue, Suite 3300 | Seattle, WA 98104
Tel: (206) 757-8020 | Fax: (206) 757-7020 | Mobile: (206) 708-9396

865 South Figueroa Street, Suite 2400 | Los Angeles, CA 90017
Tel: (213) 633-8637 | Fax: (213) 633-8699 | Mobile: (206) 708-9396
Email: jeffcoopersmith@dwt.com | Website: www.dwt.com

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Washington, D.C.

Admitted in Washington, California, and the District of Columbia

Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

From: Falk, Rebecca (USACAN) <Rebecca.Falk@usdoj.gov>
Sent: Thursday, April 11, 2019 1:09 PM
To: Coopersmith, Jeff <JeffCoopersmith@dwt.com>
Cc: Byer, Ben <BenByer@dwt.com>; Cazares, Steve <SteveCazares@dwt.com>; Gorton, Kelly <KellyGorton@dwt.com>; McDowell, Amanda <AmandaMcDowell@dwt.com>; lamarcas@sec.gov; katzma@sec.gov
Subject: RE: SEC v. Balwani/FDA and CMS motions

[EXTERNAL]

Jeff –

Attached please find both the FDA and CMS's contributions to the consolidated discovery letters for each agency.

You have my concurrence to file these letters in their current iteration. To the extent there are any changes to Mr. Balwani's statement, please send to me prior to filing so the agencies can respond.

I will not have any access to email until Monday. If you have any questions, I'll get back to you then.

Best regards,
Rebecca A. Falk
Assistant United States Attorney
United States Attorney's Office
Northern District of California
450 Golden Gate Avenue, 9th Floor
San Francisco, California, 94102
T: 415-436-7022
F: 415-436-6748

From: Coopersmith, Jeff <JeffCoopersmith@dwt.com>
Sent: Thursday, April 4, 2019 7:10 PM
To: Falk, Rebecca (USACAN) <rfalk@usa.doj.gov>
Cc: Byer, Ben <BenByer@dwt.com>; Cazares, Steve <SteveCazares@dwt.com>; Gorton, Kelly <KellyGorton@dwt.com>; McDowell, Amanda <AmandaMcDowell@dwt.com>; lamarcas@sec.gov; katzma@sec.gov
Subject: Re: SEC v. Balwani/FDA and CMS motions

Thanks Rebecca. Getting the government's responses by April 12 is fine.

Sent from my iPhone

On Apr 4, 2019, at 18:17, Falk, Rebecca (USACAN) <Rebecca.Falk@usdoj.gov> wrote:

[EXTERNAL]

Dear Jeff –

The agencies are reviewing the drafts you sent. The government will provide responses by April 12. As one of your letters is dated March 22, it seems your team has had time to consider these issues, and the government requires the same.

Best regards,
Rebecca A. Falk
Assistant United States Attorney
United States Attorney's Office
Northern District of California
450 Golden Gate Avenue, 9th Floor
San Francisco, California, 94102
T: 415-436-7022
F: 415-436-6748

From: Coopersmith, Jeff <JeffCoopersmith@dwt.com>
Sent: Tuesday, April 02, 2019 6:45 PM
To: Falk, Rebecca (USACAN) <rfalk@usa.doi.gov>
Cc: Byer, Ben <BenByer@dwt.com>; Cazares, Steve <SteveCazares@dwt.com>; Gorton, Kelly <KellyGorton@dwt.com>; McDowell, Amanda <AmandaMcDowell@dwt.com>; lamarcas@sec.gov; katzma@sec.gov
Subject: SEC v. Balwani/FDA and CMS motions

Dear Rebecca,

I'm attaching two motions to compel, one addressing the issues regarding FDA and one addressing the issues regarding CMS. Each follows Judge Cousins's standing order providing that discovery disputes shall be addressed in a consolidated 5-page statement. We've included our positions and left space for the government's positions. We intend to file these motions no later than April 9, 2019, which allows plenty of time for the government to provide its portions. We look forward to receiving that from you. Thank you.

Best,



Jeffrey B. Coopersmith | Partner
920 Fifth Avenue, Suite 3300 | Seattle, WA 98104
Tel: (206) 757-8020 | Fax: (206) 757-7020 | Mobile: (206) 708-9396

865 South Figueroa Street, Suite 2400 | Los Angeles, CA 90017
Tel: (213) 633-8637 | Fax: (213) 633-8699 | Mobile: (206) 708-9396
Email: jeffcoopersmith@dwt.com | Website: www.dwt.com

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Washington, D.C.

Admitted in Washington, California, and the District of Columbia

Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.